

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): Yoshitaka YOSHIZAWA, et al

Docket No.

121056-042

Serial No.

10/635,042

Filing Date

August 5, 2003

Examiner

Unknown

Group Art Unit

3744

Invention:

**CHANNEL SELECTOR VALVE AND METHOD OF DRIVING THE SAME, COMPRESSOR WITH THE CHANNEL VALVE, AND DEVICE FOR CONTROLLING REFRIGERATING CYCLE**

**RECEIVED****FEB 18 2004****OFFICE OF PETITIONS**

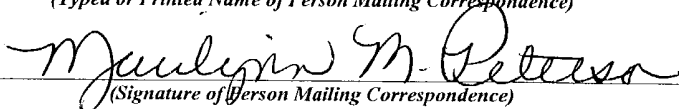
I hereby certify that this Response to Dismissal of Petition, Renewed Petition & Submission of Missing Page  
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 13, 2004  
(Date)

**Marilynn M. Peterson**

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

**Note: Each paper must have its own certificate of mailing.**

Appl. No. 10/635,042

PATENT APPLICATION

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

**RECEIVED**

**FEB 18 2004**

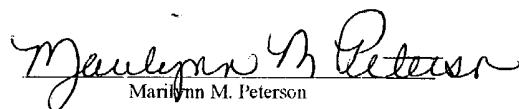
**OFFICE OF PETITIONS**

*Group*  
*Art Unit:* 3744  
  
*Attorney*  
*Docket No.:* 121056-042  
  
*Applicant:* Yoshitaka YOSHIZAWA et al.  
  
*Invention:* CHANNEL SELECTOR VALVE AND  
METHOD OF DRIVING THE SAME,  
COMPRESSOR WITH THE CHANNEL  
VALVE, AND DEVICE FOR  
CONTROLLING REFRIGERATING  
CYCLE

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as first  
class mail in an envelope addressed to: Commissioner of  
Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on February 13, 2004

  
Marilynn M. Peterson

*Serial No:* 10/635,042  
  
*Filed:* August 5, 2003  
  
*Examiner:* Unknown

RESPONSE TO DISMISSAL OF PETITION UNDER 37 CFR §1.53(e)  
RENEWED PETITION UNDER 37 CFR §1.53(e)  
AND SUBMISSION OF MISSING PAGE IN SPECIFICATION

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On November 3, 2003, the U.S. Patent and Trademark Office mailed a Notice to File Missing  
Parts of Non-Provisional Application to the undersigned in connection with the above-identified  
application.

As indicated in the Notice to File Missing Parts of Non-Provisional Application, it was stated that the Oath or Declaration was missing and that page number 182 of the specification was also missing.

Upon receipt of the Notice to File Missing Parts of Non-Provisional Application, the undersigned reviewed his file and concluded that all 284 pages were sent to the U.S. Patent and Trademark Office as indicated on the return postcard receipt.

The undersigned filed a "RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION SUBMISSION OF EXECUTED DECLARATION AND MISSING PAGE OF SPECIFICATION" on November 11, 2003.

Subsequently, on February 5, 2004, the Office of Petitions mailed a decision dismissing what was construed to be a petition by the undersigned under 37 CFR §1.53(e).

In the Decision Dismissing Petition, the Senior Petitions Attorney, E. Shirene Willis, indicated that the Notice to File Missing Parts of Non-Provisional Application incorrectly stated that page number 182 was missing from the specification. Attorney Willis instead indicated that page number 42 was missing from the specification in the U.S. Patent and Trademark Office.

Again, the undersigned confirms that according to his records as evidenced by the return receipt postcard, all 284 pages of the specification was filed in the U.S. Patent and Trademark Office via express mail on August 5, 2003, and received by the U.S. Patent and Trademark Office as indicated on the return receipt postcard.

In the Decision Dismissing Petition Attorney Willis stated that "the instant petition cannot be granted until petitioners provide a copy of page 42."

Appl. No. 10/635,042

Accordingly, submitted herewith is a copy of the original page 42 of the specification, which was previously sent to the U.S. Patent and Trademark Office.

The undersigned requests that the submitted page 42 herewith be inserted into the specification on filed at the U.S. Patent and Trademark Office.


To the extent necessary, the undersigned further requests that the present response be treated as a petition under 37 CFR §1.53(e).

If a petition fee is necessary, such a petition fee is authorized to be charged to deposit account number 12-2136.

However, it appears that the U.S. Patent and Trademark Office may have lost pages of the specification as indicated by the confusion so far of record. Accordingly, to the extent that the loss of page 42 is attributed to the U.S. Patent and Trademark Office, the undersigned respectfully requests that any petition fee be waived or refunded.

If attorney Willis wishes to contact the undersigned to discuss this matter in further detailed, the undersigned invites such action.

Respectfully submitted,

  
Michael S. Gzybowski  
Reg. No. 32,816

BUTZEL LONG  
350 South Main Street  
Suite 300  
Ann Arbor, Michigan 48104  
(734) 995-3110

claim 82 is the device for controlling a refrigerating cycle as described in claim 79, wherein once the control section starts an operation of the compressor, the control section sends output signals to the heat exchanger motor driving section after a second predetermined period of time so as to start an operation of the heat exchanger motor, sends output signals to the compressor driving section so as to generate a motive power lower than a first predetermined motive power, and drives the power source of the compressor so as to generate a motive power exceeding a second predetermined motive power, thereby operating the refrigerating cycle.

The device for controlling a refrigerating cycle as described in claim 83 is the device for controlling a refrigerating cycle as described in claim 80, 81 or 82, wherein when the control section performs a predetermined processing and judges to select a channel by the channel selector valve or to halt an operation of the refrigerating cycle,

the control section sends output signals to the compressor driving section: to drive the power source of the compressor with a third predetermined capacity so as to generate a motive power lower than a second predetermined motive power; or to halt the operation of the compressor, thereby halting the operation of the refrigerating cycle.

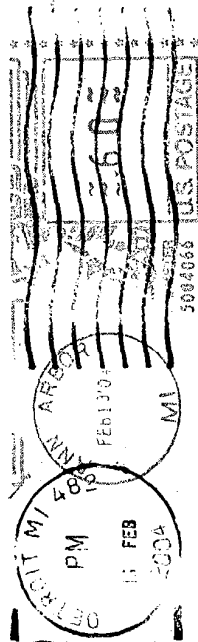
The device for controlling a refrigerating cycle as described in claim 84 is the device for controlling a refrigerating cycle as described in claim 72, wherein when the control section performs a predetermined processing and judges to select a channel by the channel selector valve or to halt an operation of the refrigerating cycle,

the control section sends output signals to the compressor driving

MSG

**Butzel Long**

SUITE 300  
350 SOUTH MAIN  
ANN ARBOR, MICHIGAN 48104-2131

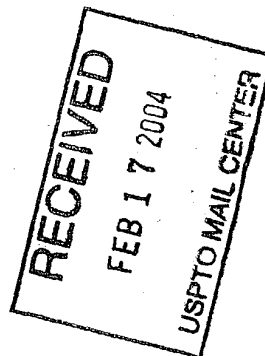


**RECEIVED**

**FEB 18 2004**

**OFFICE OF PETITIONS**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: E. Shirene Willis



22313-1450 99

